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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 RYAN WEDDING,

15 Defendant.

16 CASE NO. 08cr2386 JM

17 ORDER CONFIRMING TRIAL
18 SCHEDULE; GRANTING IN PART,
19 DENYING IN PART, AND
20 DEFERRING PENDING IN LIMINE
21 AND DISCOVERY RELATED
22 MOTIONS; DENYING MOTION
23 FOR TRIAL CONTINUANCE

24 The purpose of this order is to confirm the November 16, 2009 trial date and to clarify the
25 status of several pending motions. The motions in limine (Docket Nos. 115, 116, 117, 118, 135, and
26 140), are granted in part, denied in part and deferred in part as set forth in the Notice of Filing of
27 Official Transcript. (Docket No. 153). As further addressed in Defendant's Motion to Preclude
Evidence and for Sanctions (Docket Nos. 162-165), the court notes that the majority of the discovery
related issues are moot in light of the Government's supplemental responses, and as further addressed
at the time of the October 26, 2009 hearing. (Docket No. 171). Moreover, discovery is on-going.
Pursuant to the Government's Brady obligations, the Government continues to provide additional
information for in camera inspection. The court notes that on October 28, 2009 the Government made
a third submission for in camera review. The court anticipates issuing an order addressing the in
camera review within the next few days.

28 Late in the afternoon of October 28, 2009, the court received another request by Defendant to

1 continue the trial. Counsel for Defendant, Mr. Denis, declares that he is in trial in the Central District
2 of California through October 30, 2009, and that he requires additional trial preparation time in this
3 case. The court denies the request for a continuance without prejudice for several reasons. First, trial
4 in this matter was originally calendared for August 10, 2009 and continued on several different
5 occasions to permit Defendant additional time to file motions, acquire discovery, and prepare for trial.
6 Second, the Government has provided substantial discovery in this case in anticipation of the August,
7 September, and October trial dates. The court anticipates that a few more pages of discovery may be
8 produced upon completion of the in camera review identified upon. Even if a few more pages of
9 discovery are produced two weeks before trial on a collateral matter, experienced counsel like Mr.
10 Denis should be able to adequately prepare for trial.

11 **IT IS SO ORDERED.**

12 DATED: October 28, 2009



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14 Hon. Jeffrey T. Miller
15 United States District Judge

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17 cc: All parties

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